IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 118 OF 2007
IN
STAMP NUMBER MAIN NO. 2864 OF 2006

SMT. LAXIMI VISHNU KUMBHAR AND ANR., ... Applicants

Versus

SHRI VASSUDEV PANDURANG NAIK AND ANR., ... Respondents

Mr. N. Costa Frias, Advocate for the applicants.

Mr. G. Teles, Advocate for the respondents.

Coram:- S.A.BOBDE, J.

Date:- 3rd May, 2007

P.C.

This is an application for condonation of delay. The delay is of 245 days in filing the second appeal. The Judgment in appeal was passed on 16.11.05. However, soon thereafter, on 23.12.2005, the applicants preferred an application for review since, according to them, certain statements had been wrongly recorded in the Judgment. This application was disposed of on 23.8.06. Thereafter, the present appeal was preferred on 20.10.06.

2. Apparently, the applicants were required to obtain second certified copy since the first one had been filed in the review application.

3. There is no serious dispute on the main cause of delay, namely that a review application was pending. It appears that the delay after review application was disposed off was in obtaining legal advice which was eventually to the effect that the second appeal should be filed at this

stage.

4. Having regard to the circumstances of the case, the application for condonation of delay is, hereby, allowed.

S.A.BOBDE, J.

ssm.